



UNITED STATES DEPARTMENT OF COMMERCE
National Technical Information Service
5301 Shawnee Road
Alexandria, VA 22312

November 30, 2018

Sai
President, Fiat Fiendum, Inc.
c/o Muckrock
DEPT MR 63295
411A Highland Avenue
Somerville, MA 02144

RE: FOIA request DOC-NTIS-2019-000203

Dear Sai:

This is in response to your Freedom of Information (FOIA) request to the Department of Commerce for,

"I request the entire Open Access Death Master File, in native electronic format, as defined in 15 CFR 1110.2:

"Open Access DMF. The DMF product made available by NTIS which does not include DMF with respect to any deceased individual at any time during the three-calendar-year period beginning on the date of the individual's death."

I specifically do NOT request the Limited Access DMF, and refuse to participate in 15 CFR 1110 "certification".

The requirements of 15 CFR Part 1110 only apply to "any Person seeking access to a Limited Access DMF"; see 15 CFR 1110.1(b), limiting its applicability. This is reiterated in 15 CFR 1110.100(b), which says that "Certification under this part is not required for any Person to access the Open Access DMF made available by NTIS".

The Social Security Administration (SSA) is the database owner for the Death Master File and its subset, the Limited Access Death Master File (LADMF). For questions regarding this database or its data content management, please contact SSA's Office of Communication at 410-929-4774 or via email press.office@ssa.gov.

The National Technical Information Service (NTIS) is mandated by law to disseminate the LADMF. NTIS is responsible for certifying access to the LADMF which includes data from the last three years. By law, only certified access is allowed to the LADMF which has restrictions on use and requires registration and payment for processing the access. The LADMF is specifically excluded from FOIA requests by the Bipartisan Budget Act of 2013. Any requests for a subset of the DMF that does not require certification must be made to the SSA.

If you have any questions or concerns or would like to discuss any aspect of your request, you may contact the analyst who processed your request, Greg Guthrie by e-mail at gguthrie@ntis.gov. You may also contact the Department's FOIA Public Liaison:

Ms. Bobbie Parsons
U.S. Department of Commerce
Office of Privacy and Open Government
1401 Constitution Ave. NW,
Washington, DC 20230
telephone at 202-482-3257; email at BParsons@doc.gov

Please refer to your FOIA request tracking number, DOC-NTIS-2019-000203, when contacting us.

In addition, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
e-mail at ogis@nara.gov;
telephone at 202-741-5770; toll free at 1 877-684-6448; facsimile at 202-741-5769

You have the right to appeal this partial denial of your FOIA request. An appeal must be received within 90 calendar days of the date of this response letter. Address your appeal to the following office:

Assistant General Counsel for Employment, Litigation and Information
U.S. Department of Commerce
Office of the General Counsel, Room 5896
1401 Constitution Ave., NW
Washington, D.C. 20230

An appeal may also be sent by e-mail to FOIAAppeals@doc.gov or by FOIAonline, if you have an account in FOIAonline, at <https://foiaonline.regulations.gov/foia/action/public/home#>. The appeal should include a copy of the original request and initial denial, if any. All appeals should include a statement of the reasons why the records requested should be made available and why the adverse determination was in error.

The appeal letter, the envelope, and the e-mail subject line should be clearly marked "Freedom of Information Act Appeal." The e-mail, FOIAonline, and office mail are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday

through Friday). FOIA appeals posted to the e-mail box, FOIAonline, or the office after normal business hours will be deemed received on the next normal business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely.

Your request is now closed.

Thank you for your cooperation and patience.

Sincerely,

Wayne Strickland
Freedom of Information Act Officer,
National Technical Information Service